



NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-6000

FOIA Case: 71556
5 July 2013

Mr. Michael Morisy
c/o MuckRock News
DEPT MR 6054
P.O. Box 55819
Boston, MA 02205-5819

Dear Mr. Morisy:

This is an initial response to your Freedom of Information Act (FOIA) request submitted via the Internet on 25 June 2013, which was received by this office on 25 June 2013, for the following (numbers added for clarity):

1. Copies of contracts with Booz Allen Hamilton (BAH) over the past 5 years; and
2. Any final reports generated and delivered by Booz Allen Hamilton to NSA over the past 5 years.

Your request has been assigned Case Number 71556. This letter indicates that we have begun to process your request. There is certain information relating to this processing about which the FOIA and applicable Department of Defense (DoD) and NSA/CSS regulations require we inform you.

For purposes of this request and based on the information you provided in your letter, you are considered an "all other" requester. You must pay for search time in excess of 2 hours and duplication in excess of 100 pages.

There is a two-pronged test a requester must satisfy to qualify for a fee waiver. First, the requested information must be in the public interest. Second, the request must not be primarily in the requester's commercial interest. The following six factors further define the two-pronged waiver test, and a requester must meet the first four factors to qualify under the public interest prong:

1. The subject of the request must concern the "operations and activities of the government."

After reviewing your request, I have determined that you do not meet the standards of factors 3 and 4 of the public interest prong. You do not qualify for a fee waiver because you have not satisfied the public interest requirement of the FOIA.

The Initial Denial Authority for NSA information is the Associate Director for Policy and Records, David J. Sherman. If you disagree with the decision regarding fee waiver denial, you may file an appeal to the NSA/CSS Freedom of Information Act Appeal Authority. The appeal must be postmarked no later than 60 calendar days after the date of the initial denial. The appeal shall be in writing addressed to the NSA/CSS FOIA Appeal Authority (DJ4), National Security Agency, 9800 Savage Road STE 6248, Fort George G. Meade, MD 20755-6248. The appeal shall reference the fee waiver denial and shall contain, in sufficient detail and particularity, the grounds upon which you believe waiver of fees is warranted. The NSA/CSS FOIA Appeal Authority will endeavor to respond to the appeal within 20 working days after receipt, absent any unusual circumstances.

In using your two free hours of search related to item 1 (interpreted as contracts awarded to BAH in years 2008-2012), we have determined that the amount of records is voluminous and would require an elaborate search. In addition, we expect that a search of that magnitude will result in unusually high search costs, which would be passed on to you as an "all other" requester. Regarding item 2, this has been determined to be more voluminous than item 1; there are many reports required as deliverables on a contract, dependent on the contract type and its requirements.

We request that you narrow or redefine item 1 to a specific contract, and narrow or redefine item 2 to the specific information you are seeking in a delivered report (from the contract chosen in item 1). In addition, as we have expended your two free hours during our initial processing, we ask that you provide a willingness to pay statement to cover our additional search costs. We will hold your request in abeyance pending further instructions from you redefining your request, and providing a willingness to pay statement. If we do not hear from you within 30 days from the date of this letter, we will assume that you are no longer interested in pursuing this request, and we will administratively close your case with no further processing.

Correspondence related to your request should include the case number assigned to your request, which is included in the first paragraph of this letter. Your letter should be addressed to National Security Agency, FOIA Office (DJ4), 9800 Savage Road STE 6248, Ft. George G. Meade, MD 20755-6248 or may be